

# **SUBDIVISION ANALYSIS**

**August 26, 2009**

**S-10-2009**

**Highbury Shoppes Subdivision - Amended**

**2807 South 5600 West**

**C-2 Zone**

**6 Lots**

## **BACKGROUND**

K.C. Bills, representing Amsource Development, is requesting a plat amendment to the Highbury Shoppes Subdivision. The subdivision plat consists of 6 lots on 7.2 acres. It is bordered on the north by Lake Park Blvd., the east by High Commons Way, the south by Highbury Parkway and the west by 5600 West.

## **STAFF/AGENCY CONCERNS:**

Staff and agency concerns were addressed as part of the original subdivision process and through various conditional use applications. Subsequent site plan reviews will take place for each future pad, and will be subject to conditions of approval outlined during the conditional use process.

## **ISSUES:**

The applicant is proposing an amendment to the original plat by adjusting the internal property lines. The applicant believes that the amendment will better serve the individual pads in terms of parking, visibility and tenant mix.

The amended plat will also adjust lot sizes. Some lots will increase in size while others will decrease in size. The developer believes that having a diverse lot mix will help generate more interest in a challenging market. In addition, the configuration of the lots will better accommodate buildings that have been contemplated for this site.

One item of concern is that the newly configured plat may give property owner's or those leasing a pad within the development, the notion that parking within a given lot is specific to that lot. The developer assured staff that the recorded CCR's already address this issue and that the document will remain in force without modification. A portion of this document reads as follows:

*There is hereby granted to each Owner, a non-exclusive easement for ingress and egress for both pedestrian and vehicular traffic over and across, together with the right for temporary parking of motor vehicles upon all portions of the maintenance areas which have been designated or which shall in the future be designed, constructed and designated for such use...*

Staff believes that with this language, the concern regarding shared parking and cross access easements has been mitigated. To provide an extra measure of protection, staff will require that a notation be added to the plat regarding these easements.

**STAFF ALTERNATIVES:**

- A. Approval of the amended plat for the Highbury Shoppes Subdivision.
- B. Continuance to allow for more discussion regarding the application.